

E-Filed 6/8/05

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

JAREK MOLSKI, et al.,

Plaintiff,

v.

LA ROCHELLE, et al.,

Defendant.

Case No. C04-01985 HRL

**ORDER CONTINUING ORDER TO
SHOW CAUSE RE: SETTLEMENT**

On June 7, 2005, the parties filed a joint statement in response to this court's May 9, 2005, Order to Show Cause re: Settlement. The parties represented that they anticipate a final settlement agreement in this case will be executed by July 5, 2005. Accordingly, the court agrees to continue the Order to Show Cause for a reasonable period of time, and vacates the hearing set for June 14, 2005.

Therefore, **on or before July 5, 2005**, the parties shall file a dismissal pursuant to Fed. R. Civ. P. 41(a). If a dismissal is not filed by the specified date, the parties shall appear in Courtroom 2, 5th Floor of the United States District Court, 280 South First Street, San Jose, CA 95113 on **July 12, 2005 at 10:00 a.m.** and show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(a). The parties shall file a joint statement in response to this Order to Show Cause **no later than July 8, 2005**. The statement shall state (1) the status of the activities of the parties in finalizing settlement; and (2) how much additional time, if any, is requested to finalize the settlement and file the dismissal.

If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated and the parties need not file a statement in response to this order.

IT IS SO ORDERED.

Dated: 6/8/05

/s/ Howard R. Lloyd
HOWARD R. LLOYD
UNITED STATES MAGISTRATE JUDGE

1 THIS IS TO CERTIFY THAT A COPY OF THIS NOTICE WILL BE SENT TO:

2 Steven A. Ellenberg sellenberg@rubyschofield.com

3 Thomas E. Frankovich tfrankovich@disabilitieslaw.com

4 Thuy Minh-Ha Hoang thoang@disabilitieslaw.com,

5 Jennifer L. Steneberg jsteneberg@disabilitieslaw.com

6 * Counsel are responsible for providing copies of this order to co-counsel who have not
7 registered under the Court's ECF system.

8 Dated: 6/8/05

/s/ RNR
Chambers of Magistrate Judge Howard R. Lloyd